

One Court of Justice

# **Michigan Supreme Court**

**2005 Annual Report**

**Probate Court  
Statistical Supplement**

## Introduction

In the Fall of 1997, the State Court Administrative Office commenced a project to revise the trial court caseload reports. The project was initiated partly in response to the creation of the family division of circuit court, but also to bring more uniformity between the three trial court jurisdictions. This new reporting system was implemented January 1, 2002. For caseload trends analysis see the *Michigan Supreme Court 2005 Annual Report*.

Much of the information in this report is due to the hard work and dedication of the trial courts and their information technology departments, the Judicial Information Systems, and staff of the State Court Administrative Office.

The caseload data for 2005 is provided in both a summary format and a detail format. The summary format is organized under categories that had been used in previous years so that comparisons can continue to be made from one year to the next. A legend is provided which explains under which category case type codes appear in the summary. The detail format shows the totals by each case type code.

|                           | Estates, Trusts |               |               |                   |             | Civil, Other |               | Guardianships, Conservators, Admissions, Mental Commitments |                 |             |                 |                   |               |             | Total  |
|---------------------------|-----------------|---------------|---------------|-------------------|-------------|--------------|---------------|---|-----------------|-------------|-----------------|-------------------|---------------|-------------|--------|
|                           | Det. of Heirs   | Estate Admin. | Small Estates | Trust Inter Vivos | Trust Test. | Civil        | Other Matters | Adult Cons.   | Adult Guardian. | Minor Cons. | Minor Guardian. | Protective Orders | Judicial Adm. | Mental Com. |        |
| Beginning Pending         | 2               | 969           | 146           | 250               | 86          | 382          | 57            | 533   | 1,277           | 219         | 900             | 49                | 3             | 1,984       | 6,857  |
| New Filings               | 19              | 18,078        | 6,371         | 833               | 185         | 381          | 519           | 3,441   | 9,519           | 1,814       | 7,105           | 478               | 119           | 13,758      | 62,620 |
| Reopened                  | 0               | 855           | 279           | 0                 | 0           | 5            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 821         | 1,960  |
| Total Caseload            | 21              | 19,902        | 6,796         | 1,083             | 271         | 768          | 576           | 3,974   | 10,796          | 2,033       | 8,005           | 527               | 122           | 16,563      | 71,437 |
|                           |                 |               |               |                   |             |              |               |   |                 |             |                 |                   |               |             |        |
| Jury Verdict              | 0               | 0             | 0             | 0                 | 0           | 4            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 4      |
| Bench Verdict             | 0               | 0             | 0             | 0                 | 0           | 18           | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 18     |
| Uncontested/Dflt/Settled  | 0               | 0             | 0             | 0                 | 0           | 153          | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 153    |
| Petition Granted          | 0               | 18,310        | 6,533         | 617               | 120         | 0            | 483           | 2,556   | 7,664           | 1,727       | 5,619           | 401               | 65            | 6,133       | 50,228 |
| Order Determining Testacy | 0               | 1             | 0             | 0                 | 0           | 0            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 1      |
| Order Determining Heirs   | 15              | 0             | 0             | 0                 | 0           | 0            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 15     |
| Petition Denied           | 0               | 32            | 11            | 12                | 3           | 0            | 2             | 41  | 76              | 3           | 147             | 3                 | 2             | 76          | 408    |
| Transferred               | 0               | 7             | 0             | 0                 | 0           | 5            | 0             | 23  | 67              | 11          | 41              | 1                 | 0             | 15          | 170    |
| Dismissed by Party        | 0               | 0             | 0             | 0                 | 0           | 108          | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 108    |
| Dismissed by Court        | 0               | 0             | 0             | 0                 | 0           | 93           | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 93     |
| Petition Withdrawn/Dis.   | 1               | 190           | 63            | 59                | 11          | 0            | 11            | 720   | 1,487           | 75          | 1,057           | 27                | 42            | 3,186       | 6,929  |
| Deferred                  | 0               | 0             | 0             | 0                 | 0           | 0            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 4,834       | 4,834  |
| Inactive Status           | 0               | 0             | 0             | 0                 | 0           | 0            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 0      |
| Other Disposition         | 0               | 0             | 0             | 0                 | 0           | 9            | 0             | 0   | 0               | 0           | 0               | 0                 | 0             | 0           | 9      |
| Case Type Change          | 0               | 33            | 0             | 0                 | 0           | 0            | 0             | 13  | 31              | 10          | 114             | 2                 | 3             | 0           | 206    |
| Total Dispositions        | 16              | 18,573        | 6,607         | 688               | 134         | 390          | 496           | 3,353   | 9,325           | 1,826       | 6,978           | 434               | 112           | 14,244      | 63,176 |
|                           |                 |               |               |                   |             |              |               |   |                 |             |                 |                   |               |             |        |
| Ending Pending            | 5               | 1,329         | 189           | 395               | 137         | 378          | 80            | 621   | 1,471           | 207         | 1,027           | 93                | 10            | 2,319       | 8,261  |

Estates and Trusts

|  |        |        |        |         |
|--|--------|--------|--------|---------|
| Estate Cases Supervised by the Court During the Year | 3,743  |        |        |         |
| Total Number of Trust Registrations                  | 109    |        |        |         |
|  | Jan. 1 | New    | Closed | Dec. 31 |
| Total Active Estate and Trust Cases                  | 37,524 | 19,951 | 18,963 | 38,512  |

Wills

|   |        |
|---|--------|
| Total number of wills filed for safekeeping and delivered after death of testator | 11,348 |
|---|--------|

Foreign Birth

|  |     |
|--|-----|
| Total number of motions filed with the court to establish delayed registration of foreign birth by court order | 478 |
|--|-----|

Guardianships/Conservatorships

|   |        |       |        |         |
|---|--------|-------|--------|---------|
|   | Jan. 1 | New   | Closed | Dec. 31 |
| Total Adults with a Guardian              | 29,243 | 7,262 | 7,318  | 29,187  |
| Total Adults with a Conservator           | 15,516 | 3,441 | 3,858  | 15,099  |
| Total Minors with a Guardian              | 32,670 | 7,105 | 7,449  | 32,326  |
| Total Minors with a Conservator           | 15,901 | 1,814 | 2,451  | 15,264  |
| Total Dev. Disabled Persons w/ a Guardian | 19,340 | 2,257 | 1,872  | 19,725  |

Other Mental Commitment Petitions Filed and Disposed

|  |       |
|--|-------|
| Total Petitions Filed for Second Order   | 488   |
| Total Petitions Filed for Continuing Order   | 1,666 |
| Total Number of Supplemental Petitions Presented to the Court for Court Ordered Examination on an Application for Hospitalization and Total Number of Petitions Presented to the Court for Court Ordered Transportation of a Minor | 3,122 |
| Total Petitions Granted for Second Order   | 468   |
| Total Petitions Denied for Second Order  | 3     |
| Total Petitions Granted for Continuing Order   | 1,516 |
| Total Petitions Denied for Continuing Order  | 10    |

|                           | Estates, Trusts |        |    |       |     |       | Civil/Other |     | Guardianships, Conservators, Admissions, Mental Commitments |       |       |       |     |       |     |       |        |     |        |
|---------------------------|-----------------|--------|----|-------|-----|-------|-------------|-----|---|-------|-------|-------|-----|-------|-----|-------|--------|-----|--------|
|                           | DA              | DE     | DH | PE    | TT  | TV    | CZ          | ML  | CA  | CY    | DD    | GA    | GL  | GM    | JA  | LG    | MI     | PO  | Total  |
| Beginning Pending         | 135             | 834    | 2  | 146   | 86  | 250   | 382         | 57  | 533   | 219   | 413   | 847   | 17  | 679   | 3   | 221   | 1,984  | 49  | 6,857  |
| New Filings               | 661             | 17,417 | 19 | 6,371 | 185 | 833   | 381         | 519 | 3,441   | 1,814 | 2,257 | 7,123 | 139 | 4,838 | 119 | 2,267 | 13,758 | 478 | 62,620 |
| Reopened                  | 110             | 745    | 0  | 279   | 0   | 0     | 5           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 821    | 0   | 1,960  |
| Total Caseload            | 906             | 18,996 | 21 | 6,796 | 271 | 1,083 | 768         | 576 | 3,974   | 2,033 | 2,670 | 7,970 | 156 | 5,517 | 122 | 2,488 | 16,563 | 527 | 71,437 |
|                           | DA              | DE     | DH | PE    | TT  | TV    | CZ          | ML  | CA  | CY    | DD    | GA    | GL  | GM    | JA  | LG    | MI     | PO  | Total  |
| Jury Verdict              | 0               | 0      | 0  | 0     | 0   | 0     | 4           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 4      |
| Bench Verdict             | 0               | 0      | 0  | 0     | 0   | 0     | 18          | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 18     |
| Uncontested/Dflt/Settled  | 0               | 0      | 0  | 0     | 0   | 0     | 153         | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 153    |
| Petition Granted          | 689             | 17,621 | 0  | 6,533 | 120 | 617   | 0           | 483 | 2,556   | 1,727 | 2,155 | 5,384 | 125 | 3,827 | 65  | 1,792 | 6,133  | 401 | 50,228 |
| Order Determining Testacy | 0               | 1      | 0  | 0     | 0   | 0     | 0           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 1      |
| Order Determining Heirs   | 0               | 0      | 15 | 0     | 0   | 0     | 0           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 15     |
| Petition Denied           | 3               | 29     | 0  | 11    | 3   | 12    | 0           | 2   | 41  | 3     | 13    | 63    | 0   | 124   | 2   | 23    | 76     | 3   | 408    |
| Transferred               | 0               | 7      | 0  | 0     | 0   | 0     | 5           | 0   | 23  | 11    | 6     | 60    | 1   | 31    | 0   | 10    | 15     | 1   | 170    |
| Dismissed by Party        | 0               | 0      | 0  | 0     | 0   | 0     | 108         | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 108    |
| Dismissed by Court        | 0               | 0      | 0  | 0     | 0   | 0     | 93          | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 93     |
| Petition Withdrawn/Dis.   | 20              | 170    | 1  | 63    | 11  | 59    | 0           | 11  | 720   | 75    | 65    | 1,410 | 12  | 760   | 42  | 297   | 3,186  | 27  | 6,929  |
| Deferred                  | 0               | 0      | 0  | 0     | 0   | 0     | 0           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 4,834  | 0   | 4,834  |
| Inactive Status           | 0               | 0      | 0  | 0     | 0   | 0     | 0           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 0      |
| Other Disposition         | 0               | 0      | 0  | 0     | 0   | 0     | 9           | 0   | 0   | 0     | 0     | 0     | 0   | 0     | 0   | 0     | 0      | 0   | 9      |
| Case Type Change          | 21              | 12     | 0  | 0     | 0   | 0     | 0           | 0   | 13  | 10    | 1     | 30    | 0   | 95    | 3   | 19    | 0      | 2   | 206    |
| Total Dispositions        | 733             | 17,840 | 16 | 6,607 | 134 | 688   | 390         | 496 | 3,353   | 1,826 | 2,240 | 6,947 | 138 | 4,837 | 112 | 2,141 | 14,244 | 434 | 63,176 |
|                           | DA              | DE     | DH | PE    | TT  | TV    | CZ          | ML  | CA  | CY    | DD    | GA    | GL  | GM    | JA  | LG    | MI     | PO  | Total  |
| Ending Pending            | 173             | 1,156  | 5  | 189   | 137 | 395   | 378         | 80  | 621   | 207   | 430   | 1,023 | 18  | 680   | 10  | 347   | 2,319  | 93  | 8,261  |

Estates and Trusts

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## **Probate Court Caseload Annual Report Legend**

### **Estates, Trusts**

Det. of Heirs – DH  
Estate Admin. – DA, DE  
Small Estates – PE  
Trust Inter Vivos – TV  
Trust Test. – TT

### **Civil, Other**

Civil – CZ  
Other Matters – ML

### **Guardianships, Conservators, Admissions, Mental Commitments**

Adult Cons. – CA  
Adult Guardian. – DD, GA, GL  
Minor Cons. – CY  
Minor Guardian. – GM, LG  
Protective Orders – PO  
Judicial Adm. – JA  
Mental Com. – MI